

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No:	10/708,560	Confirmation No. 2559
Filing Date:	March 11, 2004	
Applicant(s)	Masao Koriyama	
Group Art Unit:	3747	
Examiner:	Mahmoud Gimie	
Title:	ENGINE CYLINDER BLOCK	
Attorney Docket No:	27006-00076	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT ESTABLISHING UNINTENTIONAL DELAY

Sir:

Applicant respectfully requests revival of the subject patent application pursuant to 37 C.F.R. § 1.137(b) based on unintentional delay of payment of the Issue Fee and Publication Fee.

The facts are as follows:

On October 9, 2008 the Patent Office issued a Notice of Allowance. This Notice was mailed to former counsel for the client, Ernest A. Beutler, Attorney at Law, 10 Rue Marseille, Newport Beach, California 92660. Due to a miscommunication between former counsel for the client, Mr. Beutler, and the client, the Applicant was not informed that a Notice of Allowance had been issued for this case or that it had an obligation to pay an Issue Fee.

In searching the Internet, the Applicant discovered that the instant application had gone abandoned. On February 7, 2010, current counsel Dickinson Wright PLLC was contacted by the

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Applicant and advised that a Notice of Allowance had been issued, that the issue and publication fees had not been paid and that the application had been abandoned. At the time of this discovery, the due date for paying the fees had passed. After communicating with the client regarding these facts and the status of the case, on March 19, 2010, the client instructed current counsel, Dickinson Wright PLLC, to prepare and file this Statement.

Failure to pay the Issue Fee and Publication Fee was entirely unintentional and arose without any deceptive intent. The entire period of delay has been unintentional. At no time did the Applicant intend to abandon this application.

Along with the petition fee of \$1,620.00, enclosed are the Issue fee (\$1,510.00) and the Publication Fee (\$300.00). We respectfully request that the Petition Officer approve this Petition and allow this application to issue.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061 in the name of Dickinson Wright PLLC.

Respectfully submitted,

DICKINSON WRIGHT PLLC

Date: April 26, 2010

/Richard A. Jones/
Richard A. Jones, Registration No. 39,242
38525 Woodward Avenue, Suite 2000
Bloomfield Hills, MI 48304-2970
248-433-7285